

DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION

CIVIL ACTION NO.: 05 CV 40071-FDS

CHRISTIAN SCHWENK,)
Plaintiff)
v.)
AUBURN SPORTSPLEX, LLC, DENNIS)
NATOLI, JOHN NATOLI, and PETER)
NATOLI,)
Defendants)

MOTION TO AMEND/REVISE SCHEDULING ORDER

Plaintiff hereby moves to Amend/Revise the Scheduling Order entered on October 20, 2005 upon the grounds that pleadings were amended and the matters now in issue are of greater complexity requiring additional time to complete discovery. The proposed revised Scheduling Order is attached hereto.

Plaintiff,
By his attorney,



Douglas L. Fox, Esq
BBO#: 176380.
Shumway, Giguere & Fox, PC
19 Cedar Street
Worcester, MA 01609
(508) 756-2323

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CIVIL ACTION NO.: 05 CV 40071-FDS

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 Plaintiff)
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v.)
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AUBURN SPORTSPLEX, LLC, DENNIS)
NATOLI, JOHN NATOLI, and PETER)
NATOLI,)
 Defendants)

REVISED SCHEDULING ORDER

SAYLOR, J.

This Scheduling Order is intended to provide reasonable timetable for discovery and motion practice in order to help ensure a fair and just resolution of this matter without undue expense or delay.

Timetable for Discovery and Motion Practice

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure and Local Rule 16.1(F), it is hereby ORDERED that:

1. **Initial Disclosures.** Initial disclosures required by Fed. R. Civ.P. 26(a)(1) must be completed by February 15, 2006.
2. **Amendments to Pleadings.** Except for good cause shown, no motions seeking leave to add new parties or to amend the pleadings to assert new claims or defenses may be filed after May 15, 2006.
3. **Fact Discovery – Interim Deadlines.**
 - a. All requests for production of documents and interrogatories must be served by March 10, 2006.
 - b. All requests for admissions must be served by April 10, 2006.
 - c. All depositions, other than expert depositions, must be completed by April 3, 2006.

4. **Fact Discovery – Final Deadline.** All discovery, other than expert discovery must be completed by May 1, 2006.
5. **Status Conference.** A status conference will be held on February 15, 2006.
6. **Expert Discovery.**
 - a. Plaintiff(s)' trial experts must be designated, and the information contemplated by Fed.R.Civ.P.26(a)(2) must be disclosed by March 15, 2006.
 - b. Plaintiff(s)' trial experts must be deposed by April 20, 2006.
 - c. Defendant(s)' trial experts must be designated, and the information contemplated by Fed.R.Civ.P.26(a)(2) must be disclosed by March 15, 2006.
 - d. Defendant(s)' trial experts must be deposed by April 20, 2006.
7. **Dispositive Motions.**
 - a. Dispositive motions such as motions for summary judgment or partial summary judgment and motions for judgment on the pleadings, must be filed by May 26, 2006.
 - b. Oppositions to dispositive motions must be filed within 45 days after service of the motion.
8. **Pretrial Conference.** A pretrial conference will be held on _____ at _____ a.m./p.m.

By the Court,

Date: _____

Deputy Clerk

CERTIFICATE OF SERVICE

On this 30th day of January, 2006, I, Douglas L. Fox, Esquire, hereby certify that I served the within ***Motion to Amend/Revise Scheduling Order and Proposed Revised Scheduling Order*** upon the Defendants, by mailing a copy of the same, first-class mail, postage prepaid, to Defendants' Counsel of Record:

William J. Ritter, Esq.
Poiani, Hurley, Ritter & Salvidio, LLP
446 Main Street, 21st Floor
Worcester, MA 01608
Fax: (508) 797-9561

A handwritten signature in black ink, appearing to read 'D. Fox', is positioned above a horizontal line.

DOUGLAS L. FOX, ESQUIRE
BBO #176380